## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

KIMSHU CARY, et al.	)
v.	) ) NO. 1-09-0064
THE KROGER COMPANY, INC., et al.	) JUDGE CAMPBELL )

## ORDER

The parties have filed a Stipulation of Dismissal With Prejudice (Docket No. 59), indicating that all matters in dispute herein have been settled. Accordingly, this action is DISMISSED with prejudice, and the Clerk is directed to close the file. Any pending Motions are denied as moot.

The jury trial of this action set for August 23, 2011, in Columbia and the pretrial conference set for August 15, 2011, in Nashville are canceled. This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.

TODD J. CAMPBELL

UNITED STATES DISTRICT JUDGE